

REMARKS

In accordance with the foregoing, the specification has been amended to improve form and provide improved correlation with the drawings and claims. Claims 1, 2, 6, 19, 22, 23, 36, 37, 57, 58, and 62 have been amended, claim 21 has been cancelled without prejudice or disclaimer, and claims 1-4, 6, 19, 22, 23, 36-39, 57-60, 62, and 75 are pending and under consideration. No new matter is presented in this Amendment.

CLAIM OBJECTIONS:

The Examiner objected to claims 6, 19, 23, and 62 as using inconsistent terminology. The applicants have amended the claims to address the Examiner's objection.

REJECTIONS UNDER 35 U.S.C. §112:

Claim 75 is rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. The Examiner asserts that the specification does not provide support for the limitation wherein "the third recognizer is a tail opening mark, which marks a start of the tail". The applicants direct the Examiner's attention to paragraph [0070], which discloses that "the third recognizer denotes a tail opening mark (TOM) which indicates a start of the tail." This provides support for the term as used in claim 75. Accordingly, the rejection of claim 75 under 35 U.S.C. § 112 should be withdrawn.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1, 2, 6, 19, 21-23, 36, 37, 57, 58, 62, and 75 are rejected under 35 U.S.C. §102(b) as being anticipated by Tanoue et al. (U.S. Patent 6,657,937). Claim 21 has been cancelled without prejudice or disclaimer; the rejection of claim 21 is thus moot. The applicants respectfully traverse the remaining rejections.

Tanoue does not disclose all the elements of claim 1. For example, Tanoue does not disclose wherein a violating pattern that violates a run length limit is used to form the first recognizer and the second recognizer, and a number of violating patterns used to form the second recognizer is greater than a number of violating patterns used to form the first

recognizer. The Examiner construes the address mark (AM) of Tanoue as corresponding to the second recognizer, and construes the PS field as corresponding to the first recognizer. Tanoue discloses that the address mark contains two run lengths of 13 zeroes (col. 5, lines 48-50). The number of violating patterns used to form the address mark is therefore two, because the two run lengths in the address mark violate the run length limit. However, Tanoue does not disclose how many violating patterns, if any, are included in the PS field. Without such a disclosure, it is not apparent that the AM field has a number of violating patterns greater than the number of violating patterns in the PS field. Accordingly, Tanoue does not disclose wherein a violating pattern that violates a run length limit is used to form the first recognizer and the second recognizer and a number of violating patterns used to form the second recognizer is greater than a number of violating patterns used to form the first recognizer, and the rejection of claim 1 should be withdrawn.

Claim 6 depends from claim 1. The rejection of claim 6 should be withdrawn for the reasons given above with respect to claim 1.

Claim 2 recites limitations similar to claim 1. Accordingly, Tanoue does not disclose all the limitations of claim 2 for the reasons given above with respect to claim 1, and the rejection of claim 2 should be withdrawn.

Claim 19 recites limitations similar to claim 1. Accordingly, Tanoue does not disclose all of the limitations of claim 19 for the reasons given above with respect to claim 1, and the rejection of claim 19 should be withdrawn. Claim 23 depends from claim 19. The rejection of claim 23 should be withdrawn for at least the reasons given above with respect to claim 19.

Claim 22 recites limitations similar to claim 1. Accordingly, Tanoue does not disclose all of the limitations of claim 22 for the reasons given above with respect to claim 1, and the rejection of claim 22 should be withdrawn.

Claims 36, 37, 57, and 58 recite limitations similar to claim 1. Accordingly, Tanoue does not disclose all the limitations of claims 36, 37, 57, and 58 for the reasons given above with respect to claim 1, and the rejection of claims 36, 37, 57, and 58 should be withdrawn. Claims 62 and 75 depend from claim 57. The rejection of claims 62 and 75 should be withdrawn for at least the reasons given above with respect to claim 57.

ALLOWABLE SUBJECT MATTER:

Claims 3, 4, 38, 39, 59, and 60 are allowed.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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